

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/720,025 Confirmation No. 3169
Applicant : Chaikof et al.
Filed : Nov. 21, 2003
TC/A.U. : 1656
Examiner : Naakes, Suzanne Marie
For : Plastic and Elastic Protein Copolymers
Docket No. : 133-02
Customer No.: 23713

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF EFS-WEB FILING

I hereby certify that this correspondence is being submitted with the USPTO EFS-WEB system on the date indicated below.

February 5, 2009
Date

/ronaldfriedland/
Ronald Friedland

DECLARATION UNDER 37 CFR 1.132 BY:
VINCENT P. CONTICELLO; AND
ELIZABETH R. WRIGHT

Sir:

We, Vincent P. Conticello and Elizabeth R. Wright, hereby declare as follows:

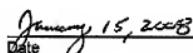
1. That we, along with Elliot L. Chaikof, Karthik Nagapudi, William T. Brinkman, Robert A. McMillan and Sonha C. Payne, are coinventors of U.S. Patent Application No. 10/720,025 for "Plastic and Elastic Protein Copolymers", filed on November 21, 2003.
2. Vincent P. Conticello is currently a Professor of Chemistry in the Department of Chemistry at Emory University.
3. Elizabeth R. Wright is currently the Director of the Robert P. Apkarian Integrated Electron Microscopy Core and an Assistant Professor of pediatrics in the School of Medicine at Emory University.

4. We have read the rejections of the claims in the Office Action of August 14, 2008 for U.S. Patent Application No. 10/720,025 and understand the following reference has been cited as a basis of prior art rejections under 35 U.S.C. 102(a): Wright and Conticello (Adv. Drug Deliv. Rev., Oct. 2002, 54:1057-73 (the "Wright and Conticello reference").
5. Inventors Vincent P. Conticello and Elizabeth R. Wright are coauthors of the Wright and Conticello reference.
6. That Vincent P. Conticello and Elizabeth R. Wright along with Elliot L. Chaikof, Karthik Nagapudi, William T. Brinkman, Robert A. McMillan and Sonja C. Payne have been collaborating in the conception and development of synthetic protein copolymers as presented in the pending claims of the above-referenced U.S. Patent Application No. 10/720,025 and that the Wright and Conticello reference was prepared at least in part based on this collaboration.
7. I hereby declare that all statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true; these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under 18 United States Code §1001 and that such willful false statements may jeopardize the validity of the patent application or any patent issuing therefrom.

BY:



Vincent P. Conticello



Date

Elizabeth R. Wright

Date

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